
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

ERIC HOUSTON,

Plaintiff,

versus

HEAD NURSE ROSS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:06-CV-57

**MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Eric Houston, an inmate at the United States Penitentiary in Beaumont, Texas, proceeding *pro se*, brought this *Bivens*-type action¹ against Head Nurse Ross, Nurse Benette, and the UTMB Correctional Managed Care.

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends this action be dismissed as repetitious of civil action number 1:06-CV-56, styled *Houston v. Robbison*.²

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

¹ See *Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

² The court notes this action is also repetitious of civil action number 1:06-CV-55, styled *Houston v. UTMB Correctional Managed Care, et al.*

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 25th day of July, 2006.

A handwritten signature in cursive script, reading "Marcia A. Crone".

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE